

EXHIBIT 21



STEVEN E. COLE, ESQ., MANAGING PARTNER
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E-MAIL: Scole@adamsleclair.law

March 25, 2022

VIA E-MAIL: sstiller@abramslaw.com

Sharon P. Stiller, Esq.
ABRAMS FENSTERMAN
160 Linden Oaks, Suite E
Rochester, NY 14625

RE: *Michael Donoghue and Premium Mortgage Corp. v. Cynthia Nostro,
Dylan Randall, David Popham, and Everett Financial, Inc.
d/b/a Supreme Lending*
Case No.: 6:20-CV-06100-EAW

Dear Sharon:

Enclosed please find a link to defendant Supreme Lending's continued document production bates-labeled SL00031648 to SL00031669 and designated "Confidential." Additionally, Supreme is providing a categorization of documents bates-labeled SL00013301 to SL00031647:

SL13001 – SL00013501	Onboarding/recruitment emails
SL13502 – 13507	Nostro computer documents
SL13508 – 13705	Popham computer documents
SL13706 – 16222	Randall borrower emails
SL16223 – 16252	Popham borrower emails
SL16253 – 16313	Nostro borrower emails
SL16314 – 17235	Encompass documents re: borrowers
SL17236 – 17679	Teto borrower emails
SL17680 – 24836	Duhon borrower emails
SL24837 – 28421	Additional Randall borrower emails
SL28424 – 29979	Ruotsi borrower emails
SL29980	Ruotsi texts

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SL29981 – 31647	Mailman borrower emails
SL31648 – 31660	Randall, Popham, Nostro paystubs
SL31661 - 31667	Commission report
SL31668 - 31669	2019, 2020 LARS report

Very truly yours,

Steven E. Cole

Steven E. Cole

SEC/atd

Enclosure

cc: (via E-mail)

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Anna McCarthy, Esq. - amccarthy@hselaw.com



STEVEN E. COLE, ESQ., MANAGING PARTNER
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April 20, 2022

VIA E-MAIL: sstiller@abramslaw.com

Sharon P. Stiller, Esq.
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160 Linden Oaks, Suite E
Rochester, NY 14625

RE: *Michael Donoghue and Premium Mortgage Corp. v. Cynthia Nostro,
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d/b/a Supreme Lending*
Case No.: 6:20-CV-06100-EAW

Dear Sharon:

Enclosed please find defendant Supreme Lending's continued document production bates-labeled SL00031670 to SL00073116 and designated "Confidential," and Supreme's updated bates-log.

Additionally, Supreme is providing a chart consisting of borrower names used for searches that was compiled from various sources including Plaintiff's January 7, 2022 interrogatory responses, paper applications (SL 12440 – 13296), Supreme's 2019 closing list (SL 13297 – 13000), and pipeline emails dated April 2019 – June 2019.

Very truly yours,

Steven E. Cole

Steven E. Cole

SEC/atd
Enclosures

Sharon P. Stiller, Esq.

April 20, 2022

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cc: (via E-mail)

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Anna McCarthy, Esq. - amccarthy@hseclaw.com

Erin F. Casey, Esq. - ecasey@adamsleclair.law

Last Name	First Name
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SL 1 - 7	David Popham Confidentiality and Non-Solicitation
SL 8 - 13	Dylan Randall Confidentiality and Non-Solicitation
SL 14 – 19	Cindy Nostro Confidentiality and Non-Solicitation
SL 20 – 26	Cindy Nostro Loan Officer Agreement
SL 27 – 108	Dylan Randall Personnel File (SL 41 – 46 Compensation Agreement; SL 47 – 53 Producing Branch Manager Agreement; SL 54 – 59 Confidentiality and Non-Solicitation Agreement; SL 60 – 64 Application)
SL 109 - 169	David Popham Personnel File (SL 113 – 117 Application; SL 141 – 144 Processor Agreement; SL 145 – 150 Confidentiality and Non-Solicitation Agreement)
SL170 - 253	Cindy Nostro Personnel File (SL 177 – 182 Compensation Agreement; SL 183 – 189 Loan Officer Agreement; SL 190 – 195 Confidentiality and Non-Solicitation Agreement; SL 196 – 200 Application)
SL 254 – 260	Dylan Randall Producing Branch Manager Agreement
SL 261 - 732	Onboarding, recruitment, setting up of the Williamsville office
SL 733 - 800	Nostro Personal Emails to Supreme Server (includes recruitment)
SL 801 – 839	Randall Personal Emails to Supreme Server (includes recruitment)
SL 840 – 906	Nostro Borrower Emails
SL 907 - 1041	Popham Borrower Emails
SL 1042 - 5832	Randall Borrower Emails
SL 5833 – 5841	Nostro “Premium Mortgage”, “PMC” “@premiummortgage.com”, and Donoghue emails
SL 5843 – 5847	Popham “Premium Mortgage”, “PMC” “@premiummortgage.com” emails
SL 5848 – 5871	Randall “Premium Mortgage”, “PMC” “@premiummortgage.com” emails
SL 5872 – 6605	Onboarding, recruitment, setting up of the Williamsville office
SL 6606 - 6665	Popham shared drive/computer files
SL 6666 - 6994	Randall Borrower Emails
SL 6695 – 7387	Nostro computer documents
SL 7388 – 7430	Randall computer documents
SL7431 – 8909	Popham computer documents
SL 8910 – 9458	Nostro borrower emails
SL 9459 - 9930	Popham borrower emails
SL 9931 – 12439	Randall borrower emails
SL12440 – 13296	Paper credit reports
SL13297 – 13000	Supreme 2019 closings
SL13001 – 13501	Onboarding/recruitment emails
SL13502 – 13507	Nostro computer documents
SL13508 – 13705	Popham computer documents
SL13706 – 16222	Randall borrower emails

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SL34562 – 36139	Popham borrower emails
SL36140 – 36507	Nostro borrower emails
SL36508 – 36560	Teto emails (relating to searches for borrower, “Premium Mortgage”, “PMC” “@premiummortgage.com”, and Donoghue)
SL36561 – 45729	Duhon emails (relating to searches for borrower, “Premium Mortgage”, “PMC” “@premiummortgage.com”, and Donoghue)
SL45730 – 58473	Randall emails (relating to searches for borrower, “Premium Mortgage”, “PMC” “@premiummortgage.com”, and Donoghue)
SL58474 – 63714	Ruotsi emails (relating to searches for borrower, “Premium Mortgage”, “PMC” “@premiummortgage.com”, and Donoghue)
SL63715 – 73114	Mailman emails (relating to searches for borrower, “Premium Mortgage”, “PMC” “@premiummortgage.com”, and Donoghue)
SL73115 – 73116	Supreme Corporation Counsel correspondence (relating to response to S. Stiller 5/2/19 letter)



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May 25, 2022

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RE: *Michael Donoghue and Premium Mortgage Corp. v. Cynthia Nostro,
Dylan Randall, David Popham, and Everett Financial, Inc.
d/b/a Supreme Lending*
Case No.: 6:20-CV-06100-EAW

Dear Sharon:

Enclosed please find defendant Supreme Lending's final document production with regards to Plaintiffs' first set of interrogatories and first requests for production of documents, bates-labeled SL00073117 – SL00080739 and designated "Confidential," Supreme's updated bates-log, Amended Interrogatory Responses, and privilege log.

Please note that Supreme has inquired and determined that neither Jackie Duhon nor Michael Tirio possess any relevant text messages that are responsive to Plaintiffs' requests.

Supreme is also removing the Confidential designation on the following documents, and will forward updated versions of those documents without the Confidential Designation: SL 31668-31669 and SL 73115 – 73116.

Following up on our communications regarding Supreme's second set of discovery requests, we have reviewed Plaintiffs' responses received on May 20, 2022, at 530 pm and identify the following deficiencies. I am available this week to meet and confer for the purpose of narrowing or eliminating the disputes that otherwise will be brought to the Court's attention. As you will see, we believe that additional information is required so that Supreme has the information necessary to defend against the claims Plaintiffs have asserted in this

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action. If our understanding of Plaintiffs' evidence or the scope of their claims is incorrect, please let me know in writing or by calling me to discuss.

Deficiencies in Plaintiffs' Responses to Supreme's Second Set of Discovery Requests

Interrogatory No. 1 [Regarding Documents where Information was Altered or Deleted]. Plaintiffs have objected to this Interrogatory and declined to identify any responsive documents. The objections are without merit and should be withdrawn. Plaintiffs are not relieved from their obligations to disclose the information they do have concerning altered documents just because they claim not to be aware of all information that was deleted or modified. Plaintiffs must disclose the information that they possess regarding document deletions or modifications, and the restoration of use of restored information to retain business and mitigate damages.

Plaintiffs have repeatedly made the alleged altering of documents a centerpiece of their claims, and seek damages from Supreme based largely on these same allegations. There is an important distinction between documents that were merely copied, and those where information was allegedly altered or deleted, so the Plaintiffs no longer had access to that information. Interrogatory No. 1 is directed at the latter documents.

Supreme is entitled to know what documents are at issue, if the information was restored, and if Plaintiffs used the restored information in an effort to mitigate damages. In my letter to you of March 17, 2022, I specifically identified two different spreadsheets from Premium's production, PR000006652-7 and PR000006658-62. The first set of these documents appears to identify files where "an object was deleted" on April 25, 2019. The spreadsheet appears to be generated by ManageEngine of ADAuditPlus, and was created on May 9, 2019. The second spreadsheet appears to show documents that were allegedly "copied and pasted" or sent by mail. Plaintiffs have not disclosed any other information about these documents, including whether Premium was deprived of customer information because of deletion, the time period that Premium was allegedly denied access, and whether and when the information was restored. That is why Supreme propounded Interrogatory No. 1.

During our last meet and confer session on February 17, I understood Ms. Bass to say in response to my inquiry that the information deleted from Plaintiffs' files consisted exclusively of telephone numbers and e-mail addresses of borrowers. However, the allegations in the Amended Complaint and the documents produced by Plaintiffs [in particular the spreadsheets referenced above] raise the possibility that Plaintiffs will claim that additional information was deleted or altered. Again, if Plaintiffs are claiming that the deletions and alterations go beyond telephone numbers and email addresses, Supreme is entitled to full disclosure on all alterations and deletions so that it may defend against the claims asserted by the Plaintiffs in this action. If, on the other hand, the only issue is telephone numbers and email addresses being deleted from certain records, the interrogatory response may be limited to those affected documents.

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Either way, Interrogatory No. 1 must be fully and completely answered.

Interrogatory No. 2 [Communications between Plaintiffs and “Misappropriated” Borrowers]. Plaintiffs objected to this interrogatory as potentially covering communications where a Premium employee would have no reason to know that he or she was communicating with a borrower who had previously communicated with Defendants. Supreme intended the interrogatory to cover only borrowers where Plaintiffs allege the Defendants have engaged in Wrongdoing that caused a loss or diminution of business. Therefore, Supreme requests that Plaintiffs identify all communications with the borrowers listed in response to Interrogatory No. 5, of Supreme’s First Set of Interrogatories, between April 1, 2019 and December 31, 2019.

Please confirm that Plaintiffs will identify these communications. To the extent that the communications are in writing and have already been produced, please confirm that fact and identify the communications by bates number.

Interrogatory No. 4 [Regarding Prequalified Borrowers listed in Ms. Stiller’s May 2, 2019 Letter]. Plaintiffs objected to the interrogatory saying that they “cannot complete the list” because of the Individual Defendants’ Wrongdoing, and suggested that Supreme issue the interrogatory to the Individual Defendants. Supreme is not looking for a “complete list,” only those to whom Ms. Stiller was referring in her letter.

No one except Plaintiffs or their counsel has the information referenced in the May 2, 2019 letters. Whether or not the list was complete as of that date is besides the point. Supreme is entitled to know what prequalified borrowers were referred to by Ms. Stiller as of May 2, 2019 as being “misappropriated.” Plaintiffs’ knowledge as of May 2, 2019, concerning prequalified borrowers at risk of being “misappropriated” is relevant to causation and mitigation of damages. Supreme understands that the list may not be complete, but it is nevertheless entitled to know the identity of the individuals that Plaintiffs did know about as of May 2, 2019, and for which the Individual Defendants “had requested prequalifications.”

Interrogatory No. 5 [Regarding Credit Reports and Loan Applications of “Misappropriated” Borrowers]. Plaintiffs objected to this interrogatory by referencing their objections to interrogatory nos. 2, 3, and 4. We understand that Plaintiffs have identified the individuals whose business was lost or diminished by Wrongdoing in response to Interrogatory No. 5 of Supreme’s First Set of Interrogatories. These consist of 110 borrowers and 139 names. However, it appears that Plaintiffs have only produced Premium credit pulls for 47 borrowers. Supreme has been given no explanation for the lack of prequalification evidence for at least 63 borrowers identified by Plaintiffs in response to (First Set) Interrogatory No. 5

Plaintiffs must respond and identify credit reports and loan applications by bates numbers (these documents establish prequalification). Plaintiffs have identified a range of documents PR 000006406 – PR000006646 containing “credit pulls.” In addition, PR

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000006649 and PR 000006650 are spreadsheets that appear to show dates of credit reports and loan applications for certain Premium borrowers. It is not clear what the spreadsheets actually represent, or whether they include all borrowers at issue.

Supreme is entitled to disclosure of all documentation reflecting on the prequalification of individuals for whom Plaintiffs are seeking damages.

Document Request No. 2 [Regarding Costs and Expenses Relating to Termination of Individual Defendants and Premium's Accounting of Costs to Revenue]. Plaintiffs produced no documents accounting for allocation of costs to revenue, including loan revenue. To the extent that Plaintiffs seek to recover lost profits, as alleged in their Amended Complaint, Doc. 15, ¶¶ 159, 188, 206, 213, 218-219, and 240, their costs associated with the lost revenue must be taken into consideration. *See e.g., Adams v. Linblad Travel, Inc.*, 730 F.2d 89, 92 (2d Cir. 1984). Costs incurred by Plaintiffs in funding of mortgages for which they are seeking damages are a proper subject for discovery.

Finally, to the extent that any document was referred to or utilized to answer any of Supreme's Second Set of Interrogatories, those documents must also be produced.

Request to Correct Deficiencies and Avoid Motion Practice

I request that Plaintiffs agree to correct the deficiencies set forth above, and that the parties reach agreement on the timetable for supplementation and additional production. If additional information from Plaintiffs would serve to inform Supreme's position on the response to these requests, or facilitate a prompt resolution of any issue, I would be happy to receive it. In particular, if Plaintiffs represent that all responsive documents in any of the categories identified above have been produced, and Plaintiffs identify the bates numbers, I believe that several outstanding issues may be resolved.

If we can't resolve these issues promptly, of course, I must include them in our forthcoming motion to compel. I am available to discuss and to seek to reach written agreement with you on any of our discovery issues. I will not agree to record the sessions as that is unnecessary. I have never been asked by any other attorney to have informal discovery conferences recorded, and I believe it will serve to reduce the effectiveness of the informal process. I am, however, willing to reach written agreements after the conferences so that expectations are documented.

Sharon P. Stiller, Esq.

May 25, 2022

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I look forward to your prompt response to the deficiencies outlined in this letter.

Very truly yours,

Steven E. Cole

Steven E. Cole

SEC/atd

Enclosures

cc: (via E-mail)

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Mary Hamilton, Esq. - mhamilton@hsealaw.com

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SL63715 – 73114	Mailman emails (relating to searches for borrower, “Premium Mortgage”, “PMC” “@premiummortgage.com”, and Donoghue)
SL73115 – 73116	Supreme Corporation Counsel correspondence (relating to response to S. Stiller 5/2/19 letter)
SL73117 – 73200	Additional onboarding emails
SL73201 – 73564	Additional Randall borrower emails
SL73565 – 73604	Additional Nostro computer documents
SL73605 – 73764	Additional Popham computer documents
SL73765 – 73980	Additional Randall borrower emails

SL73981 – 74081	Additional Teto borrower emails
SL74082 – 74775	Additional Duhon borrower emails
SL74776 – 74827	Additional Randall borrower emails
SL74828 – 74841	Client withdrawal letters
SL74842 – 74847	2020 Closings
SL74848 – 74980	Mailman and Ruotsi personnel files
SL74981 - 75207	Emails (relating to searches for Harass*, “Lawsuit”, “Harvey Sanders” “Sanders & Sanders”, and “Lindy Korn” , “Williamsville Office”, and Hostil*)
SL75208 – 75447	Mailman computer documents
SL75448 – 78778	Mailman text messages
SL78779 – 80357	Additional encompass documents
SL80358 – 80739	JR Teto text messages